THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION No.19781 OF 1993

DATE: 03-08-2006

Between:

Kowtarapu Soma Sekhara Prasad

.... Petitioner

A n d

Government of Andhra Pradesh, rep. by
its Principal Secretary, General Adminstration
Department, Secretariat, Hyderabad and 3 others

... Respondents

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ORDER: *(Per the Hon'ble Sri Justice Bilal Nazki)*

This writ petition has been filed in the year 1993 and pertains to the selection of Munsif Magistrates. Thirteen years have passed and many more selections have been made after the selection, which is in question. Earlier, this writ petition has been dismissed as infructuous, but as an application was moved on

behalf of the petitioner, who contended that he was not present when the petition was taken up and some counsel had appeared on his behalf making a statement that the writ petition had become infructuous, the Court on 01-04-2005 recalled that order.

Today also, nobody appears for the petitioner. We have gone through the record. The petitioner was a candidate for the post of Munsif Magistrate. He sat in the examination, qualified in the examination and was called for interview, but was not selected. The only ground agitated in the writ petition is that 108 posts were advertised, 16 posts were also advertised as carry forward vacancies for the direct recruits, but ultimately only 55 candidates were selected. The petitioner has no right to seek selection. The only right he had was that he would have been considered if his merit was within 55 candidates selected, as the respondents did not choose to appoint him. Counter has not been filed. But, at the same time, we have seen the notice by which the posts were advertised in which it was notified that the number of vacancies notified was provisional, approximate and was subject to variation and confirmation by the first respondent. Even otherwise, it is settled law that even after selection, Government may decide to appoint lesser candidates than advertised or may not even appoint anybody.

For these reasons, we do not find any merit in this petition. Writ petition is dismissed. No costs.

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BILAL NAZKI, J

Dt.03-08-2006

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M.VENKATESWARA REDDY,J

Lrkm.